IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 2143 of 2007

DHAGLARAM

V/S

JUDGE,A.C.J.(J.D.)NO.7,JODHPUR & ORS

Mr. ANUJ KALA for DR.SHAILENDRA KALA, for the appellant / petitioner

Date of Order : 9.5.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

It is contended by the learned counsel for the petitioner that issue no. 3 is related to issue no. 1 and 2 and does not specifically cover the question of plaintiff's adverse possession.

Suffice it to say that the learned trial court has clearly observed that the question of plaintiff's title by adverse possession is also included in issue no.3. Obviously, therefore, the plaintiff would be free to prove his case on the basis of adverse possession also while proving issue no.3. Therefore, the impugned order does not require interference.

The writ petition is, therefore, dismissed summarily.

(N P GUPTA),J.

/sushil/